

**RICHARDSON SMITH GARDNER & ASSOCIATES**

Engineering and Geological Services

Drawn by	Date	Doc ID #
Wilson	3.14.09	4176

May 4, 2007

Mr. Edward F. Mussler, III P.E.
Branch Head - Solid Waste Permitting Branch
Division of Waste Management
North Carolina Department of Environment and Natural Resources
401 Oberlin Road, Suite 150
Raleigh, NC 27605-1350

Re: Change in Owner/Applicant/Operator
PCM North Raleigh C&D Transfer Station – Permit No. 92-27T
Wake County, North Carolina

Dear Mr. Mussler:

On behalf of Shotwell Transfer Station, Inc. (Shotwell), Richardson Smith Gardner & Associates, Inc. (RSG) is submitting this correspondence to notify the North Carolina Department of the Environment and Natural Resources that the ownership of the subject facility has changed. Additionally, by way of this submittal, Shotwell (which is owned by David King and Edward Brantley, the same individuals who own the property) is requesting that the subject solid waste Transfer Facility permits be modified and re-issued to reflect a new permit holder (applicant) and transfer station operator. Other than these requested changes, no other aspects of the current permit, facility operation, waste stream (construction waste only), or service area are requested at this time.

Briefly, on November 2, 2006, Dynasty Holdings (Dynasty) became the landowner for the 10 acre parcel upon which the PCM North Raleigh C&D Transfer Station is situated¹. A copy of the deed for this property is included herein as **Attachment 1**. The owners of Dynasty, David King and Edward Brantley, have formed a new corporation, Shotwell, that will operate the transfer station on the property. The Articles of Incorporation for Shotwell are included herein as **Attachment 2**. A Landowner Authorization form is provided as **Attachment 3**.

¹ It is noted that the transfer station facility currently uses, and plans continued use of an access road through an adjacent property (located east of the site) via an access easement with that landowner.

Mr. Edward F. Mussler, III P.E.
May 4, 2007
Page 2

As a result of these changes, the current landowner requests the following modifications with regard to the Transfer Facility permits, including the current Permit To Construct, last modification (PTC#1) dated May 19, 2003, and the Permit To Operate, last modification dated September 16, 2005:

ENTITY	CURRENT	PROPOSED
Transfer Station Permit Applicant	Mr. Lemuel H. Thornton (Prior landowner) and PCM Construction	<i>Shotwell Transfer Station, Inc.</i>
Transfer Station Operator	PCM Construction	<i>Shotwell Transfer Station, Inc.</i>

In support of these proposed changes, contact information for Shotwell is summarized below.

Shotwell Transfer Station, Inc.

Primary Contact: David King
4070 Barrett Drive
Raleigh, North Carolina 27609
Office: (919) 782-8174
Fax: (919) 782-8176

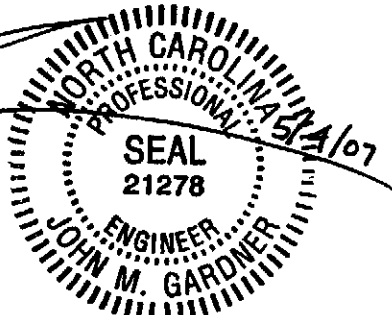
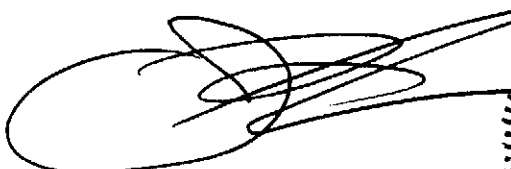
Additionally, since Shotwell Transfer Station, Inc. is a new corporation (formed on May 1, 2007) financial statements for the individual owners of Shotwell (David King and Edward Brantley) are included herein as **Attachment 4** for your review. Again, no other modifications associated with the currently permitted Construction Waste Transfer Station are being requested by these proposed changes.

We appreciate, in advance, your prompt attention to this matter. In the meantime, should you need any additional information or have further questions, comments or require clarification, please contact us at your earliest convenience.

*Attachment 4
documents
removed
(confidential)*

Mr. Edward F. Mussler, III P.E.
May 4, 2007
Page 3

Sincerely,
Richardson Smith Gardner & Associates, Inc.



John M. Gardner, P.E.
Sr. Project Manager

Encls.

Cc: David W. King
David K. Liggett
Edward Brantley
Amos C. Dawson, III

Attachment 1

Property Deed

BK012249PG00225

WAKE COUNTY, NC 194
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
11/02/2006 AT 12:06:20
STATE OF NORTH CAROLINA
REAL ESTATE EXCISE TAX: \$900
BOOK:012249 PAGE:00225 - 00227

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 900.00

Parcel Identifier No. 1738425833 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: GRANTEE

This instrument was prepared by: Tenika Hall, Attorney at Law

Brief description for the Index: 10 ACRE TRACT

THIS DEED made this 31st day of October, 20 06, by and between

GRANTOR	GRANTEE
Lemuel H. Thornton and wife, Hazel R. Thornton 5325 Thornton Road Raleigh, NC 27604	Dynasty Holdings, LLC 4070 Barrett Drive Raleigh, NC 27609

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Raleigh, _____ Township, Wake County, North Carolina and more particularly described as follows:

BEING 10 acres as shown on map recorded in Book of Maps 1985, page 935, Wake County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3554 page 249.

A map showing the above described property is recorded in Plat Book _____ page _____.

NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002

Printed by Agreement with the NC Bar Association – 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609

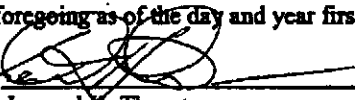
BK012249PG00226

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

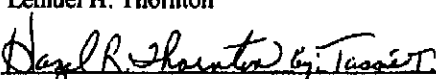
And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(Entity Name)


Lemuel H. Thornton (SEAL)

By: _____
Title: _____


Hazel R. Thornton (SEAL)

By: _____
Title: _____

(SEAL)

By: _____
Title: _____

(SEAL)

State of North Carolina - County of Wake

I, the undersigned Notary Public of the County and State aforesaid, certify that Lemuel H. Thornton and wife, Hazel R. Thornton personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 31st day of October, 2006

My Commission Expires: _____

Deirdre L. Leach
Notary Public, Johnston Co., N.C.
My Commission Exp 12-15-07

Notary Public 

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: _____ Register of Deeds for _____ County
Deputy/Assistant - Register of Deeds

BK012249PG00227



BOOK:012249 PAGE:00225 - 00227

Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
_____ # of Pages

Attachment 2

Articles of Incorporation for Shotwell

ARTICLES OF INCORPORATION

OF

SHOTWELL TRANSFER STATION, INC.

Pursuant to N.C. G. S. §55-2-02, the undersigned hereby submits these Articles of Incorporation for the purpose of forming a business corporation under the laws of the State of North Carolina:

1. The name of the corporation is **Shotwell Transfer Station, Inc.**
2. The number of shares the corporation is authorized to issue is 100,000. These shares shall be all of one class, designated as common stock.
3. The address of the initial registered office of the corporation is 3209 Gresham Lake Road, Suite 114, Raleigh, Wake County, North Carolina 27615, and the name of the initial registered agent at such address is David W. King, Jr.
4. The principal office address of the corporation is 3209 Gresham Lake Road, Suite 114, Raleigh, Wake County, North Carolina 27615.
5. The name and address of the incorporator is David K. Liggett, 2840 Plaza Place, Suite 400, Raleigh, North Carolina 27612.
6. To the fullest extent permitted by the North Carolina Business Corporation Act, no person who is serving or who has served as a director of the corporation shall be personally liable to the corporation or any of its shareholders for monetary damages for breach of duty as a director. No amendment or repeal of this article, nor the adoption of any provision of these articles of incorporation inconsistent with this article, shall eliminate or reduce the protection granted herein with respect to any matter that occurred prior to such amendment, repeal, or adoption.
7. These articles will become effective upon filing.

This the 30th day of April, 2007.


David K. Liggett, Incorporator

Attachment 3

Landowner Authorization

LANDOWNER AUTHORIZATION

I certify that I have read and understand the application submitted by Shotwell Transfer Station, Inc. for a permit to construct and operate a construction & demolition waste Transfer Facility on land owned by the undersigned located at 5509 Thornton Road, Raleigh, Wake County, North Carolina. I specifically grant permission for the operation of the proposed Transfer Facility on the property as indicated in the permit application submitted to the Division of Waste Management, Solid Waste Section.

Edward Brantley
Landowner Name (Print)

5/2/07
Date

[Signature]
Landowner Signature

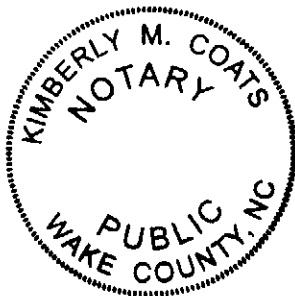
STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that Edward Brantley, Manager of Dynasty Holdings, LLC, a North Carolina limited liability company, personally appeared before me this day and either (i) being personally known to me; or (ii) having provided satisfactory evidence in the form of a : (circle one)

- ☒ (a) state issued driver's license;
- (b) state issued identification card; or
- (c) United States Passport

acknowledged to me that he voluntarily signed the foregoing instrument for the purpose stated therein as Manager of the company, under authority duly given, on this the 2nd day of May, 2007.



Kimberly M. Coats
Notary Public

My Commission Expires: 11/12/2011